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RCE / \$ 1700

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PTO/SB/30 (01-03)  
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**Request  
For  
Continued Examination (RCE)  
Transmittal**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	08/881,948
Filing Date	June 25, 1997
First Named Inventor	David P. Strauss
Art Unit	1753
Examiner Name	R. McDonald
Attorney Docket Number	CS-21,026

# 21/ km.  
2/27/03

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Declaration under  
37 C.F.R. 1.132

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 16-2440
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Iurie A. Schwartz	Registration No. (Attorney/Agent)	43,909
Signature	<i>Iurie A. Schwartz</i>	Date	2-11-03

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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RCO/1753



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

David P. STRAUSS

U.S. Serial No.: 08/881,948

Group Art Unit: 1753

Filed: June 25, 1997

Title: Mechanically Joined Sputtering  
Target and Adaptor Thereof

Examiner: R. McDonald

#  
22/w.m.  
2/27/03

PRELIMINARY AMENDMENT AND SUBMISSION OF  
DECLARATION UNDER 37 C.F.R. §1.132

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

A Request for Continued Examination is filed concurrently with the present Preliminary Amendment and Declaration Under 37 C.F.R. § 1.132. Prior to Examination, it is requested that this Preliminary Amendment and the attached Declaration be entered in the above-identified application.

REMARKS

The present application is a Request for Continued Examination of U.S. Serial No. 08/881,948. The following rejections are outstanding:

Claims 9 and 23 stand rejected under 35 U.S.C. §103 as being unpatentable over Fujitsu in view of Zejda; Claims 1-13 stand rejected under §103 as unpatentable over Fujitsu in view of Zejda and further in view of Inoue; Claim 24 stands rejected under §103 as being unpatentable over Fujitsu in view of Zejda and further in view of Wegmann. The claims cannot be rejected on these bases for the following reasons.

As shown in the attached Declaration Under 37 C.F.R. §1.132, by one of the inventors of the present invention, none of the applied documents disclose or fairly